

§ 127.007

33 CFR Ch. I (7–1–99 Edition)

*Substructure* means the deck of a pier or wharf and the structural components below that deck.

*Toxic product* means a product indicated by the letter “T” or by the letters “F+T” in Table 127.005.

*Waterfront facility handling LHG* means any structure on, in, or under the navigable waters of the United States, or any structure on land or any area on shore immediately adjacent to such waters, used or capable of being used to transfer liquefied hazardous gas, in bulk, to or from a vessel.

*Waterfront facility handling LNG* means any structure on, in, or under the navigable waters of the United States, or any structure on land or any area on shore immediately adjacent to such waters, used or capable of being used to transfer liquefied natural gas, in bulk, to or from a vessel.

TABLE 127.005—LIST OF PRODUCTS AND HAZARDS

Product	Hazard
Acetaldehyde .....	F+T
Ammonia, anhydrous .....	T
Butadiene .....	F
Butanes .....	F
Butane and propane (mixtures) .....	F
Butylenes .....	F
Chlorine .....	T
Dimethylamine .....	F+T
Ethane .....	F
Ethyl chloride .....	F+T
Ethylene .....	F
Ethylene oxide .....	F+T
Methyl-acetylene and propadiene (mixtures) ..	F
Methyl bromide .....	F+T
Methyl chloride .....	F+T
Propane .....	F
Propylene .....	F
Sulphur dioxide .....	T
Vinyl chloride .....	F+T

**Note:** “F” indicates a flammable product. “T” indicates a toxic product. “F&T” indicates a product both flammable and toxic.

[CGD 78-038, 53 FR 3376, Feb. 7, 1988, as amended by CGD 88-049, 60 FR 39795, Aug. 3, 1995; CGD 97-023, 62 FR 33363, June 19, 1997]

**§ 127.007 Letter of intent.**

(a) An owner who intends to build a new facility or the owner or operator who plans new construction on an existing facility, must submit a letter of intent that meets paragraph (d) of this section to the COTP of the zone in which the facility is or will be located, at least 60 days before construction begins.

(b) The owner or operator of an active existing facility shall submit a letter of intent that meets paragraph (d) of this section to the COTP of the zone in which the facility is located.

(c) An owner or operator of an inactive existing facility shall submit a letter of intent that meets paragraph (d) of this section to the COTP of the zone in which the facility is located, at least 60 days before transferring LHG or LNG.

(d) Each letter of intent must contain—

(1) The name, address, and telephone number of the owner and operator;

(2) The name, address, and telephone number of the facility;

(3) The physical location of the facility;

(4) A description of the facility;

(5) The LHG or LNG vessels’ characteristics and the frequency of LHG or LNG shipments to or from the facility; and

(6) Charts showing waterway channels and identifying commercial, industrial, environmentally sensitive, and residential areas in and adjacent to the waterway used by the LHG or LNG vessels en route to the facility, within 25 kilometers (15.5 miles) of the facility.

(e) The owner or operator who submits a letter of intent under paragraph (a), (b), or (c), shall notify the COTP in writing within 15 days if—

(1) There is any change in the information submitted under paragraphs (d)(1) through (d)(5) of this section; or

(2) No LHG or LNG transfer operations are scheduled within the next 12 months.

[CGD 78-038, 53 FR 3376, Feb. 7, 1988, as amended by CGD 88-049, 60 FR 39795, Aug. 3, 1995]

**§ 127.009 Letter of recommendation.**

After the COTP receives the letter of intent under § 127.007 (a) or (c), the COTP issues a letter of recommendation to the owner or operator of the facility and to the state and local government agencies having jurisdiction, as to the suitability of the waterway for LHG or LNG marine traffic, based on the—

(a) Information submitted under §§ 127.007 (d)(3) through (d)(6);